New-York Tribune.

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CRAZY POPULIST FINANCE.

THE BUTLER PROHIBITORY BOND BILL LIKELY TO PASS IN THE SENATE.

STRENGTH OF THE "COMBINE" SHOWN ON TWO TEST VOTES—SAVAGE ASSAULTS ON THE MEASURE LED BY SENATORS SHERMAN AND HILL.

[BY TELEGRAPH TO THE TRIBUNE.]

Washington, May 22.—The Senate spent the greater part of its session again to-day in a turbulent and acrimonious debate on the so-called Butler bill to prohibit any further bond sales without express authority from Congress. The Democratic-Populistic free-silver-coinage combination now in control of the Senate seems to have decided to push Mr. Butler's prohibitive measure through the deliberative branch in the hope of further discrediting the bond sale policy of the Administration. On two successive test votes it was shown that the combination had votes enough in hand to pass the bill, although on the second division the anti-bond-sale forces triumphed by the doubtful margin of two.

The Republicans in the Senate, while scarcely approving the blundering and extravagant methods followed by Mr. Cleveland in his bond-sale negotiations of 1894, 1895 and 1896, held generally that to deprive the Administration of power to purchase gold without the direct sanction of Congress would strike a serious blow at the financial stability of the Government, and under the lead of Mr. Sherman they savagely attacked the Butler bill. Some of the Cuckoo Senators also joined hands against the free-coinage combination, although Mr. Mills, of Texas, once the most vociferous of the feathered tribe, made himself conspicuous by his violent advocacy of Mr. Butler's scheme to cripple the Government's borrowing power and practically destroy its ability to maintain the public credit.

Most of the debate to-day, although interesting, was wholly academic and inconclusive, for every one who took part in the discussion knew that the bill under fire was being put forward for purposes of political buncombe only. The House of Representatives would, of course, refuse even to consider the scheme of bond-sale prohibition, and in the Senate itself the friends of the Butler bill seemed to be more anxious to use it as a text for talk than to secure its passage by means of a direct vote.

Mr. Dubois objected to-day to a unanimous consent agreement to take a vote on Monday, but it is hoped that the perennial free-coinage orators may exhaust themselves temporarily by Tuesday or Wednesday.

THE DEBATE IN DETAIL.

As soon as the chaplain had closed his opening prayer, and without waiting for the reading of yesterday's journal, Mr. Butler (Pop., N. C.) moved to proceed to the consideration of his bill prohibiting the issue of United States bonds without the consent of Congress. Mr. Sherman (Rep., Ohio) asked unanimous consent to take up and pass the Filled Cheese bill, but Mr. Butler said that he felt compelled to object, as that measure would lead to discussion, and he insisted on his motion.

"That being such an important question," Mr. Hill (Dem., N. Y.) interposed, "I desire a full Senate and I suggest the absence of a quorum."

The roll was called, and forty-nine Senators, four more than a quorum, responded. The Vice-President stated the question to be on Mr. Butler's motion, and the yeas and nays were demanded. The vote resulted yeas, 34; nays, 20. So the bill was taken up. The following is the vote in detail:

Yeas—Messrs. Allen, Bacon, Bate, Berry, Blackburn, Brown, Butler, Chilton, Cockrell, Daniel, Dubois, George, Hansbrough, Harris, Jones (Ark.), Kyle, Martin, Mills, Mitchell (Ore.), Pasco, Peffer, Perkins, Pettigrew, Pritchard, Pugh, Shoup, Stewart, Teller, Thurston, Turpie, Vest, Warren, White and Wilson—34.

Nays—Messrs. Allison, Baker, Burrows, Caffery, Chandler, Davis, Frye, Gallinger, Gray, Hale, Hawley, Hill, Lindsay, McBride, McMillan, Morrill, Nelson, Sherman, Vilas and Wetmore—20.

MR. HILL ATTACKS THE MEASURE.

Mr. Hill addressed the Senate against the prohibitory bond bill. "Mr. President," he said, "the crime, the alleged crime, of 1873 is nothing compared to the crime which will be perpetrated if this act shall pass the present Congress and become a law. Stripped of all its verbiage, condensed as it is, it is a bold proposition for the repeal of the Resumption Act of 1875; for the repeal of the only provision of law that exists for the maintenance or redemption of the paper currency of the country. It does not in so many words repeal the law of 1875, but it is in effect a repeal of that law. It is a startling proposition. It will not solve the silver question. It will not solve the financial question. It simply embarrasses the Government. It simply puts in peril the finances of the country. It is a measure in the wrong direction. It was boldly avowed yesterday by its author and sponsor as a Populist measure. Let there be no misunderstanding about it. It is an avowed Populist measure.

"I do not believe that there is a Senator who believes that it can pass the House. There is not a Senator who thinks that the President could possibly approve it. It is a measure for an irredeemable paper currency. The revenue will be soon exhausted by the appropriation bills which Senators have passed, and then there is no solution of the difficulty except by the sale of bonds. We cannot refuse to look at the situation which confronts us. A bill has been passed (no matter how) which does not realize sufficient revenue for the support of the Government. While you draw on your reserve fund and on your resources, in the end a time will come when that will cease. If your revenues are not sufficient, how are you to provide a fund with which to keep your paper currency afloat? This bill is nothing more or less than plain, open, bald repudiation. Repudiation is what it means. Dishonor is what it means. Degradation of the currency is what it means. The crime of 1873 pales in significance in comparison with the enormity of this contemplated measure. Every time that the revenues become so low that the ordinary expenses of the Government cannot be met, is Congress to be convened in extra session?

A HIGHWAYMAN'S BILL.

"No, Mr. President. This scheme takes the Government by the throat. It holds up the Government. It substantially paralyzes your Treasury. It makes your greenbacks irredeemable; takes the money out of your Treasury for the appropriations which you have made, and destroys the only fund whereby greenbacks can be redeemed. If there is no tariff legislation next year, and if this bill is to pass, how are you to redeem your paper currency? It is not the silver question that is involved in this bill. It is the integrity of the Government that is involved. It is the honor of the Government. It is the preservation of the good faith of the Government."

Mr. George (Dem., Miss.) made a suggestion to Mr. Hill in rather low tones, to which Mr. Hill's reply was that the Senator's words must be acceptable to the Senator from Ohio (Mr. Sherman).

"But," Mr. Sherman called out from his seat on the Republican side, "I have not heard a word of it." (Laughter.)

Mr. Hill informed Mr. Sherman that Mr. George's suggestion was in the direction of pure, unadulterated tariff, and that he (Mr. Hill) has said that those were pleasant words for the Senator from Ohio to hear.

Mr. George said that he preferred to be his own organ in expressing his opinion. The proposition of the Senator from Ohio the other day was, he said, very agreeable to him—that Senators on both sides should agree on some non-partisan, fair revenue bill for the relief of the Treasury. He also agreed with the Senator from Ohio that it would be an absolute shame, when there was a large deficit in the Treasury, for Senators to sit idly in the chamber and quarrel with each other as to who was responsible for such an unfortunate state of affairs, instead of giving their time and attention for the purpose of formulating a measure that would produce the necessary revenue.

PLAIN TALK FROM MR. SHERMAN.

Mr. Sherman (Rep., Ohio) repeated what he had said the other day, that if Congress adjourned

Continued on fourth page.

MANY SAVED FROM SMOKE.

PANIC AMONG THE OCCUPANTS OF A TENEMENT-HOUSE.

SOME OF THE TERRIFIED WOMEN RESISTED THEIR RESCUERS—GOOD WORK BY THE POLICE.

A fire broke out about 7 o'clock last evening on the basement floor in the airshaft of the five-story brick building No. 70 New-Chambers-st. which caused a panic among the throng of tenants in the building. If it had occurred a few hours later it might have resulted in great loss of life. As it was, the police of the Oak-st. station rescued many of the frightened inmates, some of whom were so terrified that they fought the policemen and had to be forcibly dragged from the house.

The building extends through from No. 70 New-Chambers-st. to Roosevelt-st., where it is numbered 78. The side of the building, which is about one hundred feet in depth, is on Batavia-st. There is only one entrance, and this is on New-Chambers-st. The single stairway is about the centre of the building, and runs up alongside the airshaft. There is one set of fire-escapes on the Roosevelt-st. front, and there are three on the Batavia-st. front.

The entire ground floor of the building is occupied by Juehr's candy factory, and on the floors above thirty families live, numbering more than one hundred and fifty persons in all. The cause of the fire has not been learned. When first discovered it was blazing fiercely at the bottom of the airshaft, and by the time the firemen reached the scene the flames had reached the top floor.

When the police reserves arrived they were told that there were a number of people in the building. Roundsman Henry Breen found on the fourth floor Cornelius Conlon, sixty-nine years old, his wife Hannah, sixty-five years old, and his sister, Mary Conlon, sixty years old. He got Conlon and his sister out into the hallway and downstairs to the street. Mrs. Hannah Conlon, however, refused to leave the room when Breen went back for her, saying that she wanted to save her pet parrot. The room was filled with smoke, and Breen had a severe tussle with the woman before he finally dragged her out, with the aid of Policeman John J. Lynch.

Officer Lynch in the meanwhile had rescued a girl, whose name he did not learn, whom he found partially unconscious on the fifth floor. Policeman Thomas A. Dust found the two young children of a woman named Marmion on the first floor and carried them down to the street. He then went back, and on the third floor found Mrs. Flannagan, who had fainted in her room, and her two children, both less than four years old. He called another policeman to his aid, and the Flannagan family were carried to the street.

Policeman Michael F. O'Neil found Mrs. Annie Lynch, thirty years old, on the third floor. She was looking for a young child, and refused to leave. O'Neil had to drag her downstairs. O'Neil then went back into the house, and on the fourth floor found John J. Gallagher, of No. 62 Roosevelt-st., an ex-policeman, who had gone into the building to rescue the occupants. Gallagher had been overcome by smoke, and O'Neil dragged him up to the roof.

Policeman James J. Kelly, assisted by Joseph Degnan, of No. 114 Roosevelt-st., rescued Mrs. Carmen Williams, thirty-six years old; Mrs. Miller, sixty years old; Miss Miller, twenty-two years old, from the fifth floor, passing them down the fire escapes. Mrs. Miller is deaf and dumb, and resisted Degnan's efforts to rescue her. Degnan had his hand badly cut, it being forced through a pane of glass by the woman. Policeman Thomas A. Logan carried down a woman from the fourth floor. A young man, whose name was not learned, carried two children down the fire-escape.

The building, which is owned by Weil & Meyer, of No. 25 New-Chambers-st., was damaged to the amount of $5,000, which is covered by insurance. The stock and fixtures of the candy factory were damaged about $500, and the total losses of tenants is placed at $200.

Many of the policemen were still suffering at midnight from the effects of the smoke they had encountered.

EXTRADITION OF MENDOZA ASKED.

THE STATE DEPARTMENT REQUESTS SPAIN TO SURRENDER HIM.

Washington, May 22.—The State Department has applied to the Spanish authorities for the surrender of Martin, alias Mendoza, who is wanted in New-York for forging the name of August Belmont.

Martin is the man who was arrested in Havana on some charge unknown to this Government, and of whom it was erroneously reported that his extradition to the United States had been refused by Spain. Nothing has yet been heard of the intention of the Spanish Government in regard to the request, and the Department does not expect to be informed on that point until the evidence in the case can reach Havana by mail.

CONVICTED FOR CARRYING A MUSKET.

A DECISION AS TO THE CONSTITUTIONAL RIGHTS OF A MASSACHUSETTS MAN.

Boston, May 22.—The full bench of the Supreme Court this afternoon decided that in the case of James A. Murphy the verdict of guilty returned in the Superior Criminal Court should stand. Murphy was a member of the Sarsfield Guards, and on March 17, 1895, he paraded with the Guards, carrying an old musket, which was disabled. He was arrested under a statute prohibiting the carrying of firearms by any body of men except members of the State militia, the Ancient and Honourable Artillery and other specially mentioned organizations. The defendant contended that the statute was unconstitutional, and that the weapon which Murphy carried was not a firearm, because of its condition.

The Court holds that it is within the police powers of the Legislature to regulate the bearing of arms so as to forbid unauthorized drills and parades. The act in question, which is a statute of 1893, is held not to contravene the XVIIth Article of the Declaration of Rights, which declares that the people have a right to keep and bear arms for the common defence. This right, the Court holds, does not include the right to associate together as a military organization, or to drill and parade with arms in cities and towns, unless authorized to do so by law.

FIRE AND FLOOD IN NEWPORT COTTAGE.

Newport, R. I., May 22 (Special).—"May Croft," the Bellevue-ave. summer cottage of Lispenard Stewart, of New-York, was damaged to-day by fire and water. There was so little fire that the services of the department were not required, but the loss by water through an untoward accident will be considerable. The house was purchased by Mr. Stewart last summer, and extensive alterations and additions have been in progress during the winter. The work was well along toward completion, and a crew of painters from New-York was applying the interior finish. They started fires in two furnaces used to dry the plastering, and left them burning with full force while they were at their noonday meal. About 12:30 the rooms began to fill with smoke. Investigation in the cellar disclosed a quantity of rubbish in a lively blaze, which had communicated to the floor beams. The furnaces were almost at a white heat, and the air throughout the house was so superheated that in a few minutes more the whole structure would have been beyond saving. The men in their haste turned the water into the pipes which lead about the building. The plumbing was not completed, and none of the fixtures were in place. In consequence, the water had free vent and flowed in streams over the whole house. The fire, which was confined to the cellar, and the flood were stopped at about the same time.

A TRAGEDY IN SAN FRANCISCO.

San Francisco, May 22.—The bodies of Alva E. Shepherd and Mrs. L. E. Heveing were found in a small bedroom at No. 205 Seventh-st. last evening. The woman had been murdered by Shepherd. The murderer had cut his own throat. It is presumed that he was insane at the time he committed the deed. Mrs. Heveing was addicted to the use of morphine, and it is known that Shepherd was a Spiritualist and opposed to the use of the drug, and this fact may have lead to the murder. The husband of the murdered woman is at present living in Sonora, Mexico. They corresponded regularly. Mrs. Heveing also leaves a daughter in Los Angeles and relatives in Virginia. It was ascertained from Shepherd's effects that he had relatives living in Charlottesville, Va.

AN OIL TANK BLEW UP.

TWO MEN INJURED BY AN EXPLOSION IN THE PRATT WORKS, IN BROOKLYN.

Tank No. 2, in the Pratt oil works, at Kent-ave. and North Thirteenth-st., Brooklyn, exploded at 11:17 o'clock last night, and four men were severly injured by the wreckage. The tank contained about 50,000 gallons of oil, and the concussion of the explosion shattered the windows of the tenement houses for several blocks near the yards. James Grinnell, who lives with his wife and two children in a frame house opposite the works, was cut by the glass of his bedroom window, which was blown into the room, and Christopher Lewiston, of No. 11 North Thirteenth-st., was so badly hurt by the flying fragments of the ironwork that he was removed to the Eastern District Hospital.

Two of the workmen employed in the yard were thrown to the ground and injured by the explosion, and an investigation of the tenement-houses in the neighborhood showed that a number of persons had been hurt by furniture which had been knocked over and plaster which had been shaken from ceilings in rooms by the explosion. Captain Short, of the Bedford-ave. police station, detailed a force of men to make a thorough inspection of the houses and compel the inmates to get out if there was danger of any more trouble. The workmen who were hurt were taken from the yard by the gate on the Kent-ave. side and removed to their homes.

The cover of the tank was blown high in the air, but landed in the yard. Three alarms and a special call were sent out, but the work of the firemen was confined to keeping the tanks near the one which exploded drenched with water, the fire in the shattered tank being allowed to burn itself out. Oil in the nearby tanks was drawn off into the pipes of the Queens County company, and at an early hour this morning it was not thought that there would be any more explosions.

It is believed that the explosion was caused by the overheating of the oil by a steampipe which passed through the tank, and conveyed steam for refining purposes. The fire was expected to burn until well along into this forenoon.

TRIED MURDER AND SUICIDE.

O'CONNOR ATTEMPTED TO SHOOT HIS WIFE AND HIMSELF—A STRUGGLE FOR A REVOLVER.

Charles W. O'Connor, twenty years old, yesterday tried to shoot his wife, Katie, at No. 432 West Forty-seventh-st. Failing in the attempt, he, the police say, attempted to take his own life. He succeeded in inflicting only a slight injury upon himself, and was arrested.

O'Connor and his wife, who is about twenty years old, were married three years ago in Ireland. They came to this country last March. Soon after coming here, Mrs. O'Connor left her husband because, she said, he ill-treated her and drank heavily. She went to live with her sister, Mrs. Lizzie Daly, at No. 432 West Forty-seventh-st., where her brother, Thomas O'Connor, also boarded. Her husband has since been living at No. 701 Sixth-ave., and has been employed as a clerk in a store. He was drinking yesterday, and late in the afternoon he called at Mrs. Daly's house. As he was going up the stairs, his wife came to the door. He threatened to shoot her on the spot, and drew a revolver, which he flourished wildly.

Mrs. Daly was close behind her sister, and as O'Connor raised his arm to shoot, she caught his hand, and the bullet went wide of its mark. According to the information which the police obtained, O'Connor then turned the weapon upon himself and tried to commit suicide. The revolver was discharged, and the bullet struck him in the left side. Mrs. Daly and her brother struggled with him and took the revolver away. Policeman Radigan was sent for and placed O'Connor under arrest. The latter was taken to the West Forty-seventh-st. station, and an ambulance surgeon was called from Roosevelt Hospital. It was found that the bullet had merely grazed the skin over O'Connor's heart and passed out through his clothing. He refused to make any statement to the police, except to say that he intended to kill himself. He also threatened that he would kill his wife's brother when he got out. The prisoner was taken to the Yorkville Police Court, where he was committed for examination. In court he said that his wife had "gone back" on him, that he intended to kill her and then kill himself.

THE SUPPOSED CORPSE REVIVED.

COCHRAN WAS TAKEN TO THE MORGUE, BUT PERSISTED IN LIVING—HE SAYS HE WAS THROWN IN THE RIVER.

In the opinion of Captain Hopkins, Superintendent White, of the Morgue, and his two assistants, Samuel Cochran was a corpse, and if Cochran himself had been asked about it he would not have denied it at 2 o'clock yesterday afternoon.

The tug Driscoll M. Cox was puffing up the East River about an hour after noon yesterday, when Captain Hopkins saw the body of a man floating idly with the tide. The captain looked again, and stopped the tug. His crew soon had the body aboard. Limp and motionless, it lay where it was placed.

"He's dead," said the captain, and headed the tug for the pier at Bellevue Hospital. At the pier the captain sent for Mr. White, the superintendent of the Morgue. The superintendent came and glanced at the body. "He's dead," said he.

Policeman Morrell next took a look. "Dead, sure!" he said. Next came two of the Morgue attendants with a stretcher. They, too, looked carelessly at the body. "He's did," said they, with one voice. Cochran made no denial. The men with the stretcher bore him to the deadhouse and laid him on the floor. Then Superintendent White started to enter him in a book. "Unknown floater," said he, making the entry. "Height?"

"Five feet seven," said Policeman Morrell.

"Weight?"

Morrell bent over the body, the better to make an estimate, when, horror of horrors, the corpse winked! Morrell recoiled half way across the room. "The son of a gun's alive!" he gasped. Cochran did not deny this, either. He was a very polite corpse, but couldn't help that wink, for the life of him he couldn't.

Superintendent White was sceptical. When he says a man is dead, it usually settles the matter. He reflected, too, that Captain Hopkins, Policeman Morrell and the two experienced Morgue attendants had all certified that Cochran was dead. Therefore he must be dead. The Superintendent bent over the body himself, when, notwithstanding the evidence against him, Cochran winked again. This was most unbecoming levity on the part of a corpse. Superintendent White was naturally scandalized, but he sent for the doctors, two of whom arrived post haste. They admitted that Cochran ought to be dead, but, nevertheless, they set to work on him and soon had him breathing naturally. The same stretcher that brought Cochran to the deadhouse bore him to the hospital, and late last night the doctors said that he would probably recover.

Papers found in his clothing showed that Cochran lives at No. 246 West Forty-seventh-st., and that he had formerly been employed by the Players', in Gramercy Park. The police think that he attempted suicide. Superintendent White doesn't believe it. He thinks that, if that were the case, Cochran wouldn't have winked.

The attendants at the Morgue, including Policeman Morrell, think that Cochran was dead, but didn't know it. Anyway, it was an exciting afternoon at the Morgue. It is not every day that they have a real live corpse there.

Coroner Tuthill took a statement from Cochran, in which the latter alleges that he was thrown into the water. Acting on the Coroner's orders, the police arrested Alfred Meyer, of No. 246 West Forty-seventh-st., but they say they do not know whether he was implicated or not. Meyer says that Cochran boarded with him, but that he had not seen him since last Wednesday.

J. L. Cochran, of No. 97 Fifth-ave., a real estate dealer, who is a brother of Samuel Cochran, called at the Morgue at 11 o'clock last night. He said he had not seen his brother since January, 1895. They quarrelled at that time, owing to Samuel's habits. Meyer was taken to the hospital at 10:30 o'clock by two detectives, and was identified by Samuel Cochran as his assailant.

At midnight Cochran, who was then unable to talk, wrote on a tablet, in answer to a question of his brother, that Meyer really did not strike him.

WILL RESIST A BOYCOTT.

Milwaukee, Wis., May 22.—The commission merchants of the city yesterday took the initiative in the movement to resist the boycott resulting from the street railway strike, which is now in its third week. They issued a statement to the public, asserting their right and that of their families, patrons and employes to do business with such persons and to patronize such conveyances as suited their convenience, and gave notice that such right would be defended by all lawful means. The boycott is having a serious effect on all business.

Last night the street railway wires on National-ave. were cut in the southern part of the city and nine cars were stalled. The cars were then attacked by rioters, all of the windows being smashed with stones and a number of shots being fired into the cars. The attacks were made in a lonely spot, and no arrests were made. The company has called on the city for protection, and all cars will again be guarded by policemen.

LESS THAN HALF QUALIFIED.

POOR SHOWING OF PLATT'S SPECIAL EXCISE AGENTS.

AMONG THOSE WHO FAILED TO PASS THE NON-COMPETITIVE EXAMINATION WERE BROTHERS OF JACOB WORTH AND CORNELIUS VAN COTT—THE NEW LIQUOR TAX.

[FROM THE REGULAR CORRESPONDENT OF THE TRIBUNE.]

Albany, May 22.—Thomas C. Platt is not finding it an easy task to fill the choice places in the State Excise Department with his followers. Acting under inspiration, Governor Morton put the sixty special agents to be appointed by State Excise Commissioner Lyman in the non-competitive class. That is, the authority to name the agents was substantially given to Mr. Platt, but each man so named was required to pass a simple examination as to his qualifications before the chief examiner of the State Civil Service Commission.

Easy as the test was, over 50 per cent of the men named by Platt for special agents failed to pass the examination recently held in New-York. There were twenty-seven Platt Republicans who appeared before the chief examiner, and only thirteen of them qualified. The following fourteen were rejected: Abram Lewis, Louis S. Grenner, Patrick J. O'Brien, Louis Freidel, James F. Pegnam, Whitfield Van Cott and Joshua T. Easton, of New-York City; John Worth, Matthew M. White, Henry Hanbury, Gustave Nathan and William Henry Harrison, of Brooklyn; Patrick J. McDonnell and Jacob Gundlach, of Buffalo.

"PULL" DID NOT HELP THEM.

It is interesting to note that John Worth, brother of Jacob Worth, Platt's lieutenant in Brooklyn, and Whitfield Van Cott, brother of Cornelius Van Cott, one of Platt's chief assistants in New-York, failed to pass. A strong protest against the appointment of Abram Lewis was filed, and he is among the rejected ones. Henry Hanbury, brother of Congressman Hanbury, of Brooklyn, also failed to pass muster.

Henry H. Lyman, the State Excise Commissioner, especially opposed the appointment of the special agents by competitive examination, because, as he said, "it would take too much time to secure them, and I need their services now." With over 50 per cent of his and Mr. Platt's appointees rejected, it is pertinent to ask if he has gained any time. These places must be filled. With a competitive examination, open to every one, there is no question that they would have been filled by this time.

The chief examiner also announced that E. S. Mellen, of Brooklyn, appointed auditor, had failed to pass the examination.

The names of the men who passed the examination are: Auditors—George Davis, of New-York City, and James F. Loftus, of Buffalo. Special agents—Henry C. Adee, John W. Noble, Howard Green, John J. N. Symes, Manley S. Snyder, William L. Turner, Henry J. Cushen, Moses B. Cohen and William C. Rothmann, of New-York City; Andrew Frank, George B. Butling and George Senn, of Brooklyn, and Richard W. Larkin, of Clarence, Erie County.

MORE TROUBLE IN STORE.

Although they have passed the non-competitive examination, the tribulations of these special agents have not ceased. Controller Roberts has already said that he will not pay them their salaries until he is compelled to do so by the courts. He holds that they have been appointed in defiance of the constitutional provision that whenever "practicable" those seeking appointment in the service of the State shall be compelled to submit to a competitive examination. Mr. Roberts believes that the Court of Appeals will uphold his contention that the examination of these agents was perfectly "practicable," and that, therefore, they have been illegally appointed. It is likely that the special agents are about to pass through an experience similar to that just endured by Aldridge's collectors of canal statistics, who for a year have had the payment of their salaries stopped (unless Aldridge himself advanced the money), and now, even when Governor Morton is considering bills to pay their salaries, are in doubt whether Mr. Roberts may not again under the Constitution refuse payment of these claims.

RESULTS OF THE RAINES TAX.

Commissioner Lyman had a statement made to-day showing the amount of money received in each county last week from the liquor tax. The sum of $608,014 24 was collected in all from May 11 to May 16. From May 1 to May 9 the sum of $3,569,760 87 was collected. From May 1 to May 16, therefore, the liquor dealers paid $4,177,775 11 to the various County Treasurers. The State Treasury will receive one-third of this, or $1,392,591 70. This is considerably less than the $3,000,000 it was estimated the State would receive, and yet Senator Raines says that the State's revenue from this source will be $3,300,000.

The amount collected by counties up to May 16 follow:

Albany	$20,900 00	Onondaga	42,830 00
Allegany	6,050 00	Ontario	21,518 34
Broome	33,665 66	Orange	72,520 00
Cattaraugus	12,315 00	Orleans	8,880 00
Cayuga	4,225 00	Oswego	24,955 00
Chautauqua	15,405 00	Otsego	18,700 00
Chemung	7,380 00	Putnam	4,950 00
Chenango	11,510 00	Queens	166,335 00
Clinton	16,960 00	Rensselaer	72,089 17
Columbia	13,210 00	Richmond	110,330 00
Cortland	10,090 00	Rockland	26,855 00
Delaware	9,450 00	St. Lawrence	13,100 00
Dutchess	35,680 00	Saratoga	45,925 00
Erie	306,450 00	Schenectady	14,350 00
Essex	7,700 00	Schoharie	6,400 00
Franklin	8,760 00	Schuyler	5,190 00
Fulton	11,380 00	Seneca	13,775 00
Genesee	14,635 00	Steuben	15,285 00
Greene	17,970 00	Suffolk	25,015 00
Hamilton	1,980 00	Sullivan	11,910 00
Herkimer	28,825 00	Tioga	13,645 00
Jefferson	30,165 00	Tompkins	8,390 00
Kings	870,207 49	Ulster	28,720 00
Lewis	10,300 00	Warren	18,690 00
Livingston	12,550 00	Washington	18,190 00
Madison	18,985 00	Wayne	15,305 00
Monroe	26,685 00	Westchester	142,535 00
Montgomery	14,570 00	Wyoming	8,785 00
New-York	1,489,493 45	Yates	5,610 00
Niagara	15,630 00		
Oneida	24,555 00	Total	$4,177,775 11

DAMAGE BY FOREST FIRES IN MAINE.

ALSO A WINDSTORM THAT BLEW DOWN A TENEMENT-HOUSE.

Houlton, Me., May 22.—The forest fires yesterday did great damage in this vicinity. A schoolhouse was burned in East Hedgdon, and Mr. Wright's barn and all his stock were burned in Hedgdon. R. Nixon's house and barn and their contents in Ludlow were destroyed. A special train with forty men was sent yesterday afternoon to fight a fire near Island Falls, and a train with twenty men to fight the fire in Smyrna. This morning the fire was under control. A schoolhouse in Littleton was burned.

Waterville, Me., May 22.—A high wind swept over this city late this afternoon. Trees and telegraph, telephone and electric light wires were blown down. A new double tenement-house in the upper part of the city was destroyed.

FALL RIVER MILLS MAY CURTAIL.

Fall River, Mass., May 22.—It is reported to-day the directors of the Wampanoag Mills will hold a meeting Tuesday to consider again the advisability of shutting down the mills to curtail production. These mills operate 88,000 spindles and employ over 800 hands. They are well stocked with goods, and can readily meet the demands of contracts already signed. Some of the directors have been advocating a curtailment since March, and it is said to be probable that they will take the initiative next Tuesday by curtailing next month. Financially these mills are better situated than the average mill, and have made a splendid record of prosperity as compared with many other local concerns. It is intimated that they will be closed in the hope of inducing other concerns to follow suit. This latter action does not to-night promise to be very successful, inasmuch as some other mills have contracted ahead well into the summer.

MAX SHUNBURN CONVICTED.

Albany, May 22.—"Count" Max Shunburn, one of the most daring of bank burglars, was convicted to-day on a charge of burglary, second degree, in breaking into the Middleburg National Bank, in Schoharie County, and sentenced to four years and eight months in Dannemora.

QUAY VISITS M'KINLEY.

A FRIENDLY GREETING FOR THE PENNSYLVANIA SENATOR.

MET AT THE DEPOT BY THE EX-GOVERNOR—THE SENATOR SPENDS THREE HOURS AT THE M'KINLEY HOME AND THEN STARTS ON HIS RETURN.

Canton, May 22.—Senator Quay paid a visit to ex-Governor McKinley at the latter's home here to-day by appointment. What took place at the meeting is a profound mystery, as neither gentleman will give an inkling of what was said during their three hours' conversation.

When the train bearing Senator Quay pulled in at the Fort Wayne depot there were several groups of expectant people craning their necks to catch a glimpse of the famous Pennsylvanian. He quietly walked through the crowd in the depot toward a waiting carriage. As he entered one side of the waiting-room ex-Governor McKinley came from another direction and accosted the conductor of the train, and made inquiry for the Senator from the East. The railroad man indicated the direction Senator Quay had gone, and the Governor started after the Senator. Senator Quay had just reached ex-Governor McKinley's private carriage, which was in waiting, when he was overtaken by the Major. Both extended their hands.

J. A. Brown, an attorney, of Lancaster, Penn., accompanied Senator Quay. He did not remain at the McKinley home, but was driven to a hotel.

To a reporter Mr. Brown said he did not know what Senator Quay's mission was in Canton. He had been invited by telegram to join the Senator and had done so.

Mr. Quay and Major McKinley were in close conference from the time the Senator arrived until the time of departure. To representatives of the press word was passed that they were busy and could not see any one, and that the call was one of friendship, only that and nothing more. Senator Quay lunched with Mr. McKinley, and afterward was driven to the train in the McKinley private carriage, accompanied by the Major.

When the Senator boarded the 1:21 train for Beaver, Penn., there was a hearty grasp of hands and a cordial "Goodby" from both sides, Major McKinley smiling as he gave his parting salute.

Attempts to get either Senator Quay or Major McKinley to talk on the occasion of the Senator's visit have been futile. Senator Quay said a score of complimentary things about Canton, and said he would go back to Beaver, but on other matters he was as silent as a Sphynx.

Ex-Governor McKinley left here this evening for Cleveland, where he will be the guest of Mark Hanna and other friends until Monday.

CLEVELAND AND M'KINLEY.

WHY THE PRESIDENT WANTS THE PROTECTION CHAMPION NOMINATED.

HE IS SAID TO BELIEVE THAT THE MACHINE ELEMENT IN THE REPUBLICAN PARTY WOULD BE OFFENDED AND HE MIGHT PROFIT THEREBY.

[BY TELEGRAPH TO THE TRIBUNE.]

Washington, May 22.—As was stated in these dispatches a few days ago, it was understood here by the friends of President Cleveland that he favored the nomination of ex-Governor McKinley at St. Louis for the reason that the President preferred that the next campaign should be fought out on tariff lines, rather than that the financial question should secure the most prominence. President Cleveland regards Governor McKinley as more properly the friend and defender of Protection as a political issue than any other man who has been named prominently for the head of the ticket to be made by the St. Louis Convention.

President Cleveland, these same authorities say, is firmly of the opinion that both of the great parties will declare for sound money, though there may be a variance in the manner they express themselves on the question. He feels, therefore, that the important point of difference will be on the question of Protection as against what he is pleased to call it, tariff reform, preferring to conceal free trade under that name. As was stated, if this turns out to be the fact, and the Democratic Convention at Chicago is willing, he will consent to be again a candidate, but not otherwise.

It appears, however, that there is something more in President Cleveland's desire for a straightout fight on the tariff issue. He has arrived at the conclusion that McKinley will be nominated, and he thinks that this nomination will be offensive to what he and his party friends characterize as the machine element of the Republican party. Though personally President Cleveland has been rather fortunate in gaining triumphs over the machine element of his own party, he has learned that there is considerable power in what is known as the machine, and he would like to get the advantage of this power.

It may be, therefore, that this, rather than a desire for a tariff campaign pure and simple, was the wish that was the father of the thought which made him see McKinley almost a certain victor. In this President Cleveland pays a special compliment to McKinley, for he recognizes the fact that the strength of McKinley comes directly from the people, and that it has not been worked up, and, indeed, cannot be stayed by the machine and the machine leaders.

VICTIMS OF THE BUFFALO DISASTER.

Buffalo, May 22.—All last night the workmen toiled in the ruins of the Brown Building, searching for whatever bodies might still be buried in the wreck. At 1 o'clock this morning they came across the body of a Polish laborer. The search was continued without cessation in the hope of finding the body of the contractor, Straub, which was known to be somewhere in the ruins. At 10:40 a. m. to-day a section of a fallen floor was raised, and under it the body of the missing man was found. The list of dead now numbers four, and this is believed to be the total of the fatalities. The body of George Metz, the barber, was taken to Syracuse early this morning by his brother, who arrived here last night. Metz's home is in Beltzhoover, Penn. Miss Griffiths's body will be taken to her home at Holland, this county. Hawke, the carpenter, who was thought to be fatally injured, will recover.

FOR A NATIONAL PARK.

Santa Barbara, Cal., May 22.—A petition signed by leading residents of this county has been forwarded to Washington asking Congress to reserve forever from the settlement, for the purpose of a National park, two sections of land in the San Rafael Range in Northern Santa Barbara County, including within their boundries that beautiful sheet of water known as Lake Zaka. This lies at an elevation of about 3,000 feet above sea level and is surrounded by a wild, picturesque mountain region. It is widely known as a health resort in summer and a favorite resort with the pleasure-seekers and sportsmen.

A COAL SUPERINTENDENT MURDERED.

Hazelton, Penn., May 22.—What appears to be a case of murder was discovered here last night when Griffith Roberts, general superintendent for the Lehigh and Wilkesbarre Coal Company, in this district, was found with his skull fractured near the Lehigh shops. He formerly worked for the company in a similar capacity in the Wilkesbarre district, and was well known throughout the region. His skull was fractured, evidently by a blunt instrument, and he died this morning without recovering consciousness. He was held in high esteem here, was a member of several secret societies and was wealthy. There is no clew to his probable assailants. A piece of gaspipe was found beside the railroad track covered with blood.

GENERAL FAIRCHILD SERIOUSLY ILL.

Madison, Wis., May 22.—General Lucius Fairchild was taken sick about three weeks ago with kidney trouble. He grew gradually worse, and about a week ago was forced to take to his bed. He has grown weaker daily, and is now in a precarious condition.

RAPID TRANSIT DELAYED.

ADVERSE DECISION OF THE APPELLATE DIVISION OF THE SUPREME COURT.

THE MOTION TO CONFIRM THE REPORT OF THE SPECIAL COMMISSION DENIED, ALL THE JUDGES CONCURRING—THE QUESTION OF COST NOT PROPERLY CONSIDERED—NO APPEAL POSSIBLE.

All hope for underground rapid transit in this city for a long time to come was destroyed by a decision which was handed down yesterday by the Appellate Division of the Supreme Court. The Board of Rapid Transit Commissioners failed to get the consent of property-owners in Broadway for the proposed underground railroad, and the General Term of the Supreme Court appointed a special commission, consisting of Frederic G. Coudert, George Sherman and William H. Gelshenen, to take testimony and report upon the advisability of building the road according to the routes which had been laid out and the plans which had been adopted. The special commission some time ago reported in favor of building the road. On the motion to the Appellate Division of the Supreme Court to confirm the report of the special commission, A. B. Boardman and Edward M. Shepard, argued the case for the Rapid Transit Commissioners, and Elihu Root, Franklin Bartlett and other lawyers opposed the motion. In the decision announced yesterday the motion was denied.

Two opinions on the subject were handed down. Presiding Justice Van Brunt wrote one opinion, all other Justices of the court concurring, in which the report of the special commission is criticised and disagreed with mainly on the ground that questions of the possible cost of the underground railroad were not properly considered. The other opinion, written by Justice Rumsey, all the other Justices of the court concurring, declares that the plans did not provide for a complete system of rapid transit, while they would require too vast an expenditure of money, and for those and other reasons the Court cannot permit the building of the road without the consent of the property-owners.

City officials, lawyers and members of the Board of Rapid Transit Commissioners said yesterday that there could be no appeal from the decision, because no questions of law or constitutional questions were raised in the opinions, but only questions of fact, and a decision of the Appellate Division of the Supreme Court on a question of fact cannot be reviewed by the Court of Appeals. The Board of Rapid Transit Commissioners will meet on Monday to face the situation, but they may not decide to turn their attention to other plans or other routes for some time. Some of the city officials said it was to be desired that the elevated railroad lines be extended, and their facilities increased as soon as possible in order to meet the growing demands of the public for rapid transit. One effect of the decision yesterday was to send up the stock of the Manhattan Elevated Railway two points.

THE DECISION.

The opinion of Presiding Justice Charles H. Van Brunt, which was concurred in by Justices George C. Barrett, William Rumsey, Pardon C. Williams and George L. Ingraham, was in part as follows:

The Board of Rapid Transit Commissioners have adopted a route and general plan, and having failed to obtain the consent of the property-owners along the line of the proposed railways, made application to the General Term for the appointment of commissioners as provided for in the Rapid Transit act; and on November 15, 1895, the General Term appointed three commissioners to determine and report, after due hearing, whether the railway determined upon by the said Board and mentioned in their petition ought to be constructed and operated. These commissioners having proceeded with the hearing of the matters referred to them, on March 6, 1896, reported to this court that they were of the opinion, and thereby determined and reported, that the route proposed by the Board of Rapid Transit Commissioners ought to be adopted, and that the railway determined upon by said Board ought to be constructed and operated.

The commissioners, after spending months in the taking of testimony in regard to the question of the cost and the manner of building and operating the railroad in question, and having frankly stated in their report that any conclusion which they could arrive at in respect to the probable cost would be mere conjecture, seem to have cut the Gordian knot by setting aside entirely the question of cost and looking upon the questions referred to them solely as engineering problems. It is the first time, we think, in the history of any great enterprise that the question of practicability did not include the consideration of cost. More than eighteen hundred years ago it was said: "For which of you, intending to build a tower, sitteth not down first and counteth the cost, whether he have sufficient to finish it? Lest haply, after he hath laid the foundation, and is not able to finish it, all that behold it begin to mock him, saying, 'This man began to build, and was not able to finish.'"

AN ALL-IMPORTANT QUESTION.

If the question of cost was not to be considered by these commissioners, it is difficult to see what question was before them. The Legislature and the people had both spoken very emphatically upon the question of the desirability of rapid transit; and it is well known that there is no problem which engineering science cannot solve provided there are dollars enough behind it to meet the expense.

But it is urged upon the part of the movers of this scheme that the property-owners cannot raise the objection as to cost, because they have no interest in the determination of that question. It is apparent that this is a fallacy. The only justification which can probably be urged to sustain the interference with the use and access of abutting owners to their property which the construction of this railroad will necessarily involve is that it can and will be completed within a reasonable time after its commencement. If there is a probability that financial difficulties will be met, and the construction of this road will drag its weary length along for a time which no man can compute, and possibly its construction be absolutely abandoned because of the wreck of the city's finances and the intervention of constitutional prohibitions, it is manifest that great injury will result to the property of abutting owners for which they can never be compensated.

In reaching the conclusion arrived at, the commissioners appointed by this Court seek to justify themselves by reference to the language of the General Term when a former scheme of rapid transit was before it. In so doing they seem to have lost sight of the fact that the plan now seeking our sanction differs in every feature from the one which was then before the court. In the case formerly before the General Term all that it was necessary for the commissioners to do to protect the city and the abutting owners was to take such security as would enable the city to fill up the hole made in the course of the work in case the contractor failed to comply with his contract. The Court was of the opinion that the question was simply a financial one, and that it might safely assume that the commissioners would take sufficient security at least to put the street in its then present condition in case of the failure of the contractor to complete the work, and that if capitalists would at their own risk undertake the enterprise they should be allowed to do so.

AN ENTIRELY DIFFERENT CASE.

In the case at bar, however, the problem is absolutely different. It is the city's money which is to be spent. And it is to be observed that in view of the obligations already incurred by the city for work in progress it is difficult to see how money can be provided to meet the engineers' estimates of the cost of this work, in consequence of the constitutional prohibition against the creation of debt, and if the work was commenced it would be impossible for the city to raise funds necessary for its completion and the work must cease although incomplete and absolutely useless.

It may be said, and it is said, that it is to be presumed that the Commissioners will take sufficient security from the party contracting with the city to construct this railway upon its behalf. But if our Commissioners cannot tell whether this railroad can be constructed for $50,000,000 or $30,000,000 after spending months in investigating this subject—as they have reported—upon what basis are the Rapid Transit Commissioners to fix the security? It has also been suggested that the increase in the value of property will give an enlarged opportunity to create a debt, but this increase will be a matter of time and the contracts for construction must be made now, the obligation must be entered into now, and it cannot be done in sections, consequently the now debt limits can only be considered.

THE CITY'S RISK.

It is to be observed that the moneys for this enterprise must be furnished by the city, the risk is really that of the city, and it would seem, having in view the other obligations of the city, unless the road can be built for a substantially less amount than the engineers' estimates, the work must stop, and the city would not have the right to borrow money enough to put the streets in the condition in which they are before it had sunk its fifty odd millions of dollars in a vain attempt to carry out this scheme of rapid transit. If our Commissioners are unable to ascertain within $40,000,000 what this